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99TH CONGRESS
1ST SESSION

H. J. RES. 465

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 1985

Ordered to be printed with the amendments of the Senate numbered

JOINT RESOLUTION

Making further continuing appropriations for the fiscal year 1986, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1986, and for other purposes, namely:

SEC. 101. (1) ~~(a) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3037, the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1986, as passed by the House~~

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~~of Representatives on July 24, 1985~~ *(a) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3037, the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1986, as passed by the Senate on October 16, 1985.*

(2) ~~(b) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 2965, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1986, as passed by the House of Representatives on July 17, 1985.~~

(b) Such amounts as may be necessary for programs, projects, or activities provided for in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1986 (H.R. 2965), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (House Report 99–414), as filed in the House of Representatives on December 4, 1985, as if enacted into law (3)*: Provided, That such conference report shall be considered as including Senate Amendment Numbered 134.*

(4) ~~(c) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3629, the~~

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~~Department of Defense Appropriations Act, 1986, as passed by the House of Representatives on October 30, 1985.~~

(c) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3629, the Department of Defense Appropriations Act, 1986, as reported to the Senate on November 6, 1985 (Senate Report 99–176) (5)*: Provided, That sections 8097, 8098, 8099, and 8100 as passed by the House on October 30, 1985, and section 8090 as reported to the Senate on November 6, 1985, are hereby deleted.*

(6) ~~(d) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3067, the District of Columbia Appropriations Act, 1986, as passed by the House of Representatives on July 30, 1985.~~

(d) Such amounts as may be necessary for programs, projects, or activities provided for in the District of Columbia Appropriations Act, 1986 (H.R. 3067), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (House Report 99–419), as filed in the House of Representatives on December 5, 1985, as if enacted into law: Provided, That the appropriation for a Federal contribution to the District of Columbia for the "Criminal Justice Initiative" under

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amendment number 2 shall be "$13,860,000" instead of "$14,010,000".

~~(e) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3011, the Department of the Interior and Related Agencies Appropriations Act, 1986, as passed by the House of Representatives on July 31, 1985.~~

(e) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3011, the Department of the Interior and Related Agencies Appropriations Act 1986, as reported to the Senate on September 24, 1985.

~~(f) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3244, the Department of Transportation and Related Agencies Appropriations Act, 1986, as passed by the House of Representatives on September 12, 1985.~~

(f) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3244, the Department of Transportation and Related Agencies Appropriations Act, 1986, as passed by the Senate on October 23,

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1985: Provided, That, notwithstanding any other provision of this subsection, the rate for Coast Guard "Operating Expenses" shall be $1,752,000,000, of which $10,000,000 shall be derived from unobligated balances of "Pollution fund" and of which $15,000,000 shall be expended from the Boat Safety Account: Provided further, That, notwithstanding any other provision of the subsection, the rate for Federal Aviation Administration "Operations" shall be $2,714,400,000, of which not to exceed $446,000,000 shall be derived from the Airport and Airway Trust Fund.

(g) Such amounts as may be necessary for programs, projects, or activities provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1986 (H.R. 3424), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference ~~(9) (House Report 99-402) as filed in the House of Representatives on November 21, 1985, as if enacted into law~~ *in the form in which that conference report was adopted by the House of Representatives on December 5, 1985, as if enacted into law, and that report shall be considered to include Senate Amendment Numbered 188 as amended by the House of Representatives.*

~~(10) (h) Such amounts as may be necessary for programs, projects, or activities provided for in the Military Con-~~

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~~struction Appropriations Act, 1986 (H.R. 3227), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (House Report 99–380) as passed by the House of Representatives on November 20, 1985, as if enacted into law.~~

~~(11)~~ *(h)* Such amounts as may be necessary for programs, projects, or activities provided for in the Treasury, Postal Service, and General Government Appropriations Act, 1986 (H.R. 3036), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (House Report 99–349) as passed by the House of Representatives ~~(12)~~ *and the Senate* on November 7, 1985, as if enacted into law except that such conference report shall be considered as not including Senate Amendment Numbered 83 as amended by the Conferees ~~(13)~~*: Provided, That appropriations made by this joint resolution for the following accounts shall not exceed: $1,019,391,000 for "Internal Revenue Service, processing tax returns"; $1,419,451,000 for "Internal Revenue Service, examinations and appeals"; and $748,000,000 for "Payment to the Postal Service Funds".*

~~(14)~~ ~~Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in H.R. 3228, the~~

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~~Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985: *Provided,* That not withstanding any other provision of this subsection the following shall apply: no funds in this subsection are earmarked for scholarships for South African students; funding in the amount of $3,689,286,666 shall be available for the "Economic Support Fund"; the amount and requirements associated with a cash transfer to Egypt shall be in accord with the provisions included in section 202(b) of Public Law 99–83; no funds shall be required to be transferred from sections 103 through 106 of the Foreign Assistance Act of 1961 to the "Economic Support Fund" for Zimbabwe; the requirement contained in H.R. 3228, the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985, that "Economic Support Fund" assistance for Guatemala may be used only for development activities aimed directly at improving the lives of the poor, especially the indigenous population in the highlands, does not apply; funding in the amount of $764,648,000 shall be available for "Military Assistance"; funds in the amount of $5,058,983,333 shall be available for "Foreign Military Credit Sales"; funds in this subsection for the Lavi Program shall be made available in accord with the provisions included in section 101(c)(3) of Public Law 99–83; no foreign military~~

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~~credit sales funds in this subsection shall be transferred to "Military Assistance" or the "Economic Support Fund"; no funds in this subsection are appropriated under the heading "Guarantee Reserve Fund"; section 620(A)(a) of the Foreign Assistance Act of 1961 is amended by inserting "the Export-Import Bank Act of 1945," after "the Peace Corps Act,"; sections 521, 527, 543 and 549 in H.R. 3228, the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985 do not apply; section 539 of H.R. 3228, the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985, shall not apply to Bolivia, except for the final provisions; titles I, II, and III of H.R. 2253 as reported on May 15, 1985 and section 3 of H.R. 1948 as introduced April 3, 1985, are hereby enacted; funding in the amount of $337,930,000 shall be available for Migration and Refugee Assistance.~~

(i) Such amounts as may be necessary for programs, projects, or activities at the rate for operations and to the extent and in the manner provided for in S. 1816 (except for the provision contained on page 24, line 22 through page 25, line 10 and the proviso contained on page 26, lines 14 through 18), the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the Senate on Octo-

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ber 31, 1985: Provided, That notwithstanding any other provision of this subsection, not more than $375,000,000, to remain available until expended, shall be available for the second installment of the United States contribution to the seventh replenishment of the International Development Association: Provided further, That notwithstanding any other provision of this subsection, gross obligations for the principal amount of direct loans for the Export-Import Bank of the United States shall not exceed an aggregate of $1,800,000,000: Provided further, That notwithstanding any other provision of this subsection, of the funds provided under the "Economic Support Fund", not less than $15,000,000 shall be made available only for Ecuador, which sum shall be disbursed within thirty days after enactment of this Act; $80,000,000 shall be made available for Portugal; $1,000,000 shall be made available for a program to strengthen the judicial system in Peru; up to $20,000,000 may be made available to carry out the Administration of Justice program pursuant to section 534 of the Foreign Assistance Act of 1961; not less than 35 percent of the funds allocated for the Human Rights Fund for South Africa shall be made available in accordance with section 802(d) of Public Law 99–83; $22,500,000 shall be made available for Tunisia; and $15,000,000 shall be made available for Uruguay: Provided further, That notwithstanding any other pro-

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vision of this subsection, of the funds provided under the heading "Foreign Military Credit Sales", up to $10,000,000 may be made available for Guatemala: Provided further, That notwithstanding any other provision of this subsection, of the funds provided under the heading "Military Assistance", up to $10,400,000 may be made available for Zaire: Provided further, That notwithstanding any other provision of this subsection, of the funds made available under the heading "International Narcotics Control", $1,000,000 shall be made available to carry out the provisions of section 607 of Public Law 99–83: Provided further, That notwithstanding any other provision of this subsection, of the funds made available under the paragraph "Energy and selected development activities, Development Assistance", up to $100,000 may be made available in accordance with the provisions of section 714(d) of Public Law 99–83: Provided further, That notwithstanding any other provision of this subsection, of the funds made available to carry out the provisions of chapter 1 of part I of the Foreign Assistance Act of 1961, $1,000,000 shall be made available for literacy and other education programs in Haiti: Provided further, That notwithstanding any other provision of this subsection, that not more than $3,745,000,000 may be made available for the "Economic Support Fund": Provided further, That notwithstanding any

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other provision of this subsection, there are appropriated $9,000,000 for the United Nations Environment Program.

(15) ~~(k)~~ *(j)* Such amounts as may be necessary for continuing the following activities, not otherwise provided for in this joint resolution, which were conducted in the fiscal year 1985, under the terms and conditions provided in applicable appropriations Acts for the fiscal year 1985, at the current rate: *Provided,* That no appropriation or fund made available or authority granted pursuant to this subsection shall be used to initiate or resume any project or activity for which appropriations, funds, or authority were not available during fiscal year 1985:

Activities under sections 236, 237, and 238 of the Trade Act of 1974 (16)*: Provided, That, in addition to any sums otherwise provided herein there is appropriated $4,588,000 to the Department of Labor, "Training and Employment Services", for necessary administrative expenses related to those sections of that Act;*

Activities under the Public Health Service Act;

Refugee and entrant assistance activities under the provisions of title IV of the Immigration and Nationality Act including $50,000,000 for targeted assistance grants and $4,000,000 for voluntary agency matching grants; title IV and part B of title III of the

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Refugee Act of 1980; and sections 501 (a) and (b) of the Refugee Education Assistance Act of 1980;

(17) *Foster care and adoption assistance activities under title IV–E of the Social Security Act under the terms and conditions established by sections 474(b) and 474(c) of that Act, and sections 102(a)(1) and 102(c) of Public Law 96–272: Provided, That, for the purpose of giving effect to this paragraph, references in such sections to fiscal year 1985 are deemed to be references to fiscal year 1986; and*

Minority science improvement activities under section 528(3) of the Omnibus Budget Reconciliation Act of (18) ~~1981; and~~

~~Payment to the Corporation for Public Broadcasting under the Communications Act of 1934, as amended, for the fiscal year 1988: *Provided,* That for purposes of this payment, the current rate shall be the amount of the payment provided for fiscal year 1987.~~ *1981.*

SEC. 102. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available from December 13, 1985, and shall remain available until (a) enactment into law of an appropriation for any project or activ-

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ity provided for in this joint resolution, or (b) enactment of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1986, whichever first occurs.

SEC. 103. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 104. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

(19) ~~SEC. 105. In view of the financial crisis facing many farmers, resulting from embargoes and suspension of exports in 1973, 1974, 1975, and 1980, and failure to use the Commodity Credit Corporation for a loan program which led to a fair price from the user, the Secretary of Agriculture shall use his authority under existing law to provide for nonrecourse loans on basic agricultural commodities at such levels as will reflect a fair return to the farm producer above the cost of production, and to issue such regulations as will carry out this provision and as will provide for payment by the purchaser, rather than by appropriation, for basic com-~~

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modities sold for domestic use and the Secretary of Agriculture shall issue such regulations as will enable producers of any basic agricultural commodity to produce the amount needed for domestic consumption, to maintain the pipeline, and to regain and retain by competitive sales our normal share of the world market.

(20) SEC. 106. Public Law 99–88 funded a study by the Department of Agriculture to determine the losses suffered by United States farm producers of agricultural products during the last decade as a result of embargoes on the sale of United States agricultural products and the failure to offer for sale in world markets commodities surplus to domestic needs at competitive prices, for use in determining what part of existing indebtedness of farmers should be canceled as a result of such foreign policy. Pending the completion of the study, the Secretary shall determine, on a case-by-case basis, which borrowers are unable to continue making payments of principal and interest due to embargoes or the failure to sell competitively in world trade and, thereby, qualify for an adjustment of principal and interest due to prevent bankruptcy or foreclosure, all as authorized by existing law.

Upon presentation of substantial evidence to the Secretary that a borrower qualifies, payment of principal and interest shall be suspended and the Secretary shall forego foreclosure of loans owed to the Federal Government, as authorized

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~~by law, for 12 months or until an adjustment is agreed upon. Other creditors shall be requested by the Secretary to postpone payments due on the same basis.~~

(21) *SEC. 105. Title I, Chapter I of the Act of August 15, 1985 (Public Law 99–88), is amended by deleting, under the heading "Cooperative State Research Service," that portion of the land description dealing with lands to be conveyed to the Sierra Blanca Airport Commission that reads "R10E" and substituting in lieu thereof "R15E".*

(22) *SEC. 106. Notwithstanding any other provision of this joint resolution, and in addition to amounts appropriated elsewhere, there are appropriated $40,000,000, to remain available until expended, for 'Watershed and Flood Prevention Operations' for emergency measures as provided in sections 403–405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203–2205).*

(23) *SEC. 107. Notwithstanding any other provision of this joint resolution, not to exceed an additional $9,549,000 (from assessments collected from farm credit system banks) shall be obligated during the current fiscal year for administrative expenses, as authorized under 12 U.S.C. 2249.*

(24) *SEC. 108. Notwithstanding any provision of title I of the Local Public Works Capital Development and Investment Act of 1976, as amended (Public Law 94–369) or*

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any other provision of law, any funds authorized and appropriated under title I of such Act, as amended, in any fiscal year for projects in New York, New York but currently obligated and not disbursed, shall be obligated and expended during fiscal years 1986 and 1987 for any authorized project in New York, New York under title I of such Act, as amended or for any authorized project in New York, New York under title I of the Public Works and Economic Development Act of 1965 as amended.

(25) *SEC. 109. Notwithstanding any other provision of this joint resolution, there is appropriated an additional $3,000,000 to remain available until expended, for the National Oceanic and Atmospheric Administration for programs, projects, and activities for the Integrated Flood Observing and Warning System (IFLOWS).*

(26) *SEC. 110. (a) Notwithstanding any other provision of this joint resolution, no funds made available to the Department of Justice during fiscal year 1986 shall be used to implement, or to adopt as a permanent rule, New Offense Example 363, providing coverage for "insider trading" offenses, of 28 C.F.R. section 2.20.*

(b) This section shall become effective upon the date of enactment of this joint resolution and shall expire 180 days after the effective date of this joint resolution.

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(27) *SEC. 111. (a) Section 503(a) of the Controlled Substances Act (21 U.S.C. 873(a)) is amended by—*

(1) striking out "and" at the end of paragraph (5);

(2) striking out the period at the end of paragraph (6) and inserting in lieu thereof "; and"; and

(3) adding at the end thereof the following:

"(7) notwithstanding any other provision of law, enter into contractual agreements with State and local law enforcement agencies to provide for cooperative enforcement and regulatory activities under this Act.".

(b) Section 508 of the Controlled Substances Act (21 U.S.C. 878) is amended by—

(1) inserting "(a)" before "Any officer or employee";

(2) inserting after "Drug Enforcement Administration" the following: "or any State or local law enforcement officer"; and

(3) adding at the end thereof the following new subsection:

"(b) State and local law enforcement officers performing functions under this section shall not be deemed Federal employees and shall not be subject to provisions of law relating to Federal employees, except that such officers shall be subject to section 3374(c) of title 5, United States Code.".

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(28) *SEC. 112. Subsection (c) of section 924 of title 18 of the United States Code is amended by—*

(1) adding after the words "during and in relation to any" the words "felony described in the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or section 1 of the Act of September 15, 1980 (21 U.S.C. 955a), or any";

(2) adding after the words "in addition to the punishment provided for such" the words "felony or"; and

(3) adding after the words "term of imprisonment including that imposed for the" the words "felony or".

(29) *SEC. 113. (a) For necessary expenses of the Commission on the Bicentennial of the United States Constitution authorized by Public Law 98–101 (97 Stat. 719–723), $20,000,000, to remain available until expended.*

(b) Section 5 of Public Law 98–101 (97 Stat. 719) is amended—

(1) in subsection (b), by striking out "up to five persons,"; and

(2) in paragraph (2) of subsection (e), by striking out "the services" through the end of such paragraph and inserting in lieu thereof "services".

(30) *SEC. 114. None of the funds appropriated in this joint resolution or any other Act to the Legal Services Corpo-*

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ration and made available to grantees may be expended by any recipient of such funds until such recipient has expended all funds carried over from previous fiscal years, unless the failure to expend the funds carried over from previous fiscal years has been approved by the Legal Services Corporation.

(31) *SEC. 115. Notwithstanding any other provision of this joint resolution, an additional $10,000,000 shall be transferred from the "Small Business Administration, Disaster Loan Fund" to "Small Business Administration, Salaries and expenses" for disaster loan making activities, including loan servicing.*

(32) *SEC. 116. None of the funds appropriated or otherwise made available by this joint resolution or any other provision of law may be available for the issuance of any license for export to, or for any approval for the transfer or retransfer to, the People's Republic of China of any nuclear equipment, materials, or technology subject to the Agreement for Cooperation Between the Government of the United States of America and the Government of the People's Republic of China Concerning Peaceful Uses of Nuclear Energy, done on July 23, 1985, until the President certifies to the Congress that reciprocal arrangements on the verification of the peaceful uses of such equipment, materials, and technology will include standards and methods of materials*

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accounting and inspection essentially equivalent to those normally applied by the International Atomic Energy Agency.

(33) *SEC. 117. Notwithstanding any other provision of this joint resolution, on or after May 1, 1986, the Secretary of Defense is directed to make such reductions as are necessary to insure that payments from the Military Personnel accounts shall not exceed a rate in excess of the rate required to limit the total of such payments to the total amount appropriated to these accounts in fiscal year 1986.*

(34) *SEC. 118. Notwithstanding any other provision of this or any other Act, of the funds appropriated or otherwise made available to or for the use of the Department of Defense in fiscal year 1986, not more than a total of $1,277,793,000 may be obligated or expended for consultants, studies and analysis, and management support contracts; and contract systems engineering and contract engineering technical services (as such activities are identified in the Department of Defense fiscal year 1986 President's Budget documents identified as "PB-21" and "PB-25"): Provided, That such total may be exceeded upon notification to the Congress by the Secretary of Defense that additional funds are necessary to meet critical unforeseen military requirements.*

(35) *SEC. 119. Notwithstanding any other provision of this joint resolution, the limitation on emergencies and ex-*

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traordinary expenses in "Operation and Maintenance, Navy", is $3,787,000.

(36) *SEC. 120. None of the funds appropriated by this joint resolution may be obligated or expended to carry out a program to paint any naval vessel with paint known by the trade name of Organotin or with any other paint containing the chemical compound tributyltin until such time as the Environmental Protection Agency certifies to the Department of Defense that whatever toxicity is generated by Organotin paints as included in Navy specifications does not pose an unacceptable hazard to the marine environment.*

(37) *SEC. 121. Notwithstanding any other provision of this joint resolution, the amount appropriated for "Operation and Maintenance, Army National Guard", is $1,656,500,000.*

(38) *SEC. 122. Notwithstanding section 101 of this joint resolution, the amount appropriated for "Other Procurement, Army" is $5,214,730,000.*

(39) *SEC. 123. Notwithstanding any other provision of this joint resolution, the amount provided under this joint resolution for "Missile Procurement, Air Force" is $8,770,831,000 without regard to the prohibition on further development or procurement of the Titan 34D7 program.*

(40) *SEC. 124. No funds appropriated under this joint resolution for the Strategic Defense Initiative Program*

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shall be earmarked by any agency of the United States Government or any contractor exclusively for contracts with non-United States contractors, subcontractors, or vendors, or exclusively for consortia containing non-United States contractors, subcontractors, or vendors, prior to source selection in order to meet a specific quota or allocation of funds to any Allied nation. Furthermore, it is the sense of the Congress that, whenever possible, the Secretary of Defense and others should attempt to award SDI contracts to United States contractors, subcontractors, and vendors unless such awards would degrade the likely results obtained from such contracts: Provided further, That allied nations should be encouraged to participate in the SDI research effort on a competitive basis and be awarded contracts on the basis of technical merit.

(41) *SEC. 125. Notwithstanding any other provision of this joint resolution, of the funds made available to the Department of Defense for fiscal year 1986 for research, development, test, and evaluation, Air Force, $5,000,000 shall be available only for the purpose of carrying out a research program to develop new and improved verification techniques to monitor compliance with any antisatellite weapon agreement that may be entered into by the United States and the Soviet Union.*

(42) *SEC. 126. Notwithstanding any other provision of this joint resolution, the total amount appropriated for the*

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Defense Agencies of the Department of Defense for research, development, test, and evaluatioin to carry out the joint Department of Defense-Department of Energy conventional munitions technology development program is $10,000,000.

(43) *SEC. 127. Notwithstanding any other provision of this joint resolution, out of funds available for Research, Development, Testing and Evaluation, Defense Agencies, within the Department of Defense, there shall be provided $10,000,000 for research, development and acquisition of a super computer with capabilities equal to or better than that of the Tesseract model parallel super computer system.*

(44) *SEC. 128. Notwithstanding any other provision of this joint resolution, none of the funds appropriated pursuant to this joint resolution to or for the use of the Department of Defense may be obligated or expended for any purpose unless such funds have been authorized to be appropriated for such purpose by law other than this joint resolution. However, the preceding sentence does not apply to funds appropriated pursuant to this joint resolution for Coastal Defense Augmentation; $375,000,000.*

(45) *SEC. 129. Notwithstanding any other provision of this joint resolution, the amount appropriated for "NATO Cooperative Programs" for acquisition of point air defense of United States airbases and other critical United States military facilities in Italy is $15,000,000.*

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(46) *SEC. 130. (a) Congress finds that—*

(1) service in the Navy frequently requires personnel to spend extended periods of time at sea away from their families;

(2) family separation is the number one personnel retention problem in the Navy;

(3) the performance of short-term maintenance and repair of Navy vessels in their homeports permits the Navy personnel assigned to those vessels to be with their families for additional periods of time; however,

(4) at the same time all maintenance and repair outside the homeport area is important to instill additional competition in the industry, and retain the broadest possible industrial mobilization base, and

(5) there would be marginal impact on personnel considerations for Navy Reserve Fleet repair conducted outside the homeport area,

(b) It is the sense of the Congress that: (1) competition for ship repair should be maximized with the objective of attaining lowest cost to the Government while cognizant of personnel impact. In this regard, consideration of the competitive contract bidding methodology should be determined on the basis of work to be performed, independent of duration, while mindful of personnel considerations, and (2) in view of the marginal personnel impact of Naval Reserve Vessel In-

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dustrial work such contracts involving vessels above 1,000 tons should be performed through coast wide competitive bidding procedures.

(4) *SEC. 131. (a) The Senate finds that—*

(1) There have been an increasingly large number of criminal actions or accusations of fraud brought against defense contractors, in which a number of leading defense contractors have pleaded guilty to criminal activity;

(2) Such fraudulent activity on the part of corporations entrusted with responsibility for our national defense is a threat to our national security and an abuse of the public trust;

(3) Such fraud by those who seek to contract with the Government represents the most reprehensible kind of corporate conduct;

(4) The Government must ensure that it contracts only with responsible companies, especially in areas vital to our national defense;

(5) It is vital that sufficient resources of the Federal Government be allocated to the exposure and prosecution of such fraud;

(6) The Department of Justice must exhibit a commitment to the prosecution of procurement law violations; and

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(7) Only through a genuine commitment to seek criminal and civil penalties against corporations engaged in procurement law violations will such violations be deterred.

(b) It is therefore the Sense of the Senate that the United States Government, through both its executive and legislative branches, launch an energetic and thorough investigation and audit for all defense contractor billing practices, and all other practices involving Government contracts, to expose all fraudulent action; that the Government seek indictments against companies believed to have defrauded the Government or the people of the United States: And provided further, That the Government more aggressively use suspension or debarment of contractors convicted of crimes as appropriate supplemental penalty for such conviction.

(48) *SEC. 132. In the language to be incorporated from H.R. 3629, on page 51, line 21, after the word "legislation" add the following "authorizing and expenditures and".*

(49) *SEC. 133. Section 1302 of Public Law 98–181 is amended to substitute in the first sentence "period of two years" with "period ending January 1, 1989".*

(50) *SEC. 134. The Secretary of the Army is directed to accomplish emergency bank stabilization work at Bethel, Dillingham, and Galena, Alaska, at full Federal cost, within available funds, at an estimated cost of $1,500,000. Such*

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funds were previously appropriated in Public Law 99–141 (99 Stat. 564).

(51) *SEC. 135. The Secretary shall include as part of the non-Federal contribution of the project for flood control, Fairfield Vicinity Streams, California, authorized in accordance with section 201 of the Flood Control Act of 1965, the cost of any work carried out by non-Federal interests on the project after December 31, 1973, and before the date of the enactment of this joint resolution, if the Secretary determines such work is reasonably compatible with the project. Costs and benefits resulting from such work shall continue to be included for purposes of determining the economic feasibility of the project.*

(52) *SEC. 136. It is the sense of the Congress that all countries receiving United States foreign assistance under the Economic Support Fund, Foreign Military Credit Sales, the Military Assistance Program, International Military Education and Training, the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), development assistance programs, or trade promotion programs should fully cooperate with the international refugee assistance organizations, the United States, and other governments in facilitating durable solutions to refugee situations. Further, where resettlement to other countries is the appropriate solution, such resettlement should be expedited and conducted*

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by the country of asylum without respect to race, sex, religion, or national origin.

(53) *SEC. 137. Any joint resolution introduced on or after February 1, 1986, which states that the Congress objects to the proposed sale to Jordan of advanced weapons systems, including advanced aircraft and advanced air defense systems (submitted to the Congress on October 21, 1985), shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.*

(54) *SEC. 138. (a) The Congress finds that—*

(1) the United Nations Children's Fund (UNICEF) reports that four million children die annually because they have not been immunized against the six major childhood diseases: polio, measles, whooping cough, diptheria, tetanus, and tuberculosis;

(2) at present less than 20 percent of children in the developing world are fully immunized against these diseases;

(3) each year more than five million additional children are permanently disabled and suffer diminished capacities to contribute to the economic, social, and political development of their countries because they have not been immunized;

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(4) ten million additional childhood deaths from immunizable and potentially immunizable diseases could be averted annually by the development of techniques in biotechnology for new and cost-effective vaccines;

(5) the World Health Assembly, the Executive Board of the United Nations Children's Fund, and the United Nations General Assembly are calling upon the nations of the world to commit the resources necessary to meet the challenge of universal access to childhood immunization by 1990;

(6) the United States, through the Centers for Disease Control and the Agency for International Development, joined in a global effort by providing political and technical leadership that made possible the eradication of smallpox during the 1970's;

(7) the development of national immunization systems that can both be sustained and also serve as a model for a wide range of primary health care actions is a desired outcome of our foreign assistance policy;

(8) the United States Centers for Disease Control headquartered in Atlanta is uniquely qualified to provide technical assistance for a worldwide immunization and eradication effort and is universally respected;

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(9) at the 1984 Bellagio Conference it was determined that the goal of universal childhood immunization by 1990 is indeed achievable;

(10) the Congress, through authorizations and appropriations for international health research and primary health care activities and the establishment of the Child Survival Fund, has played a vital role in providing for the well-being of the world's children;

(11) the Congress has expressed its expectation that the Agency for International Development will set as a goal the immunization by 1990 of at least 80 percent of all the children in those countries in which the Agency has a program; and

(12) the United States private sector and public at large have responded generously to appeals for support for national immunization campaigns in developing countries.

(b)(1) The Congress calls upon the President to direct the Agency for International Development, working through the Centers for Disease Control and other appropriate Federal agencies, to work in a global effort to provide enhanced support toward achieving the goal of universal access to childhood immunization by 1990 by—

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(A) assisting in the delivery, distribution, and use of vaccines, including—

(i) the building of locally sustainable systems and technical capacities in developing countries to reach, by the appropriate age, not less than 80 per centum of their annually projected target population with the full schedule of required immunizations, and

(ii) the development of a sufficient network of indigenous professionals and institutions with responsibility for developing, monitoring, and assessing immunization programs and continually adapting strategies to reach the goal of preventing immunizable diseases; and

(B) performing, supporting, and encouraging research and development activities, both in the public and private sector, that will be targeted at developing new vaccines and at modifying and improving existing vaccines to make them more appropriate for use in developing countries.

(2) In support of this global effort, the President should appeal to the people of the United States and the United States private sector to support public and private efforts to provide the resources necessary to achieve universal access to childhood immunization by 1990.

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(55) *SEC. 139. The foreign debt burdens of many Third World nations have contributed to their economic decline and inability to engage in a significant economic recovery;*

The United States foreign military assistance loan programs, which have had very high interest rates in past years, have contributed to the security of our friends and allies, but also have played a contributing role in adding to the debt burdens of many of our friends and allies;

United States foreign aid has, among its major objectives, the enhancement of the military and economic security of our friends and allies and our own security;

A foreign assistance program which adds significantly to the debt burdens of our friends and allies by forcing the weaker of those nations to use funds which could be used for development for repayment of loans impairs their economic development unnecessarily and is not in either their or our interest;

The past few years have seen several positive legislative steps taken to alleviate the FMS loan-related debt burdens of our friends and allies by reducing interest rates, stretching out the repayment period of these loans, and by increasing the level of MAP grants and forgiven FMS credits;

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These steps have helped to ease these problems in the short term, but the long-term debt servicing problems of our friends and allies remain;

It would be in the best interests of our friends and allies to alleviate their debt burdens brought about by past loans and to bring about a more streamlined and straightforward approach to them programs in this area;

Such streamlined, straightforward programs would make it easier to develop country programs and would ease current pressures on the United States to grant to aid recipients the most favorable terms on their military loan programs; Now therefore:

(1) it is the sense of the Congress that a more simplified, streamlined, straightforward foreign military assistance program is in the national interest and in the interest of the military and economic security of our friends and allies throughout the world;

(2) that greater concessionality to match economic need as appropriate should be incorporated into future military assistance programs;

(3) that FMS loan programs extending the repayment period beyond the useful life of the items to be purchased could tend to increase the long-term debt burdens of our friends and allies;

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(4) that the FMS concessional loan program contains a significant grant element to the recipient nation and that the Congress should actively consider replacing this program with a more straightforward approach;

(5) the President is urged to propose, in the next formal Congressional Presentation for Security Assistance Programs, reforms and refinements in the foreign military assistance programs along these lines for consideration by the appropriate committees of the Congress.

(56) *SEC. 140. (a) Notwithstanding any other provision of law, the President is authorized—*

(1) to deny nondiscriminatory (most-favored-nation) trade treatment to the products of Afghanistan and thereby cause such products to be subject to the rate of duty set forth in column number 2 of the Tariff Schedules of the United States, and

(2) to deny credit, credit guarantees, and investment guarantees to, or for the benefit of, Afghanistan under any Federal program.

(b) If the President has not denied nondiscriminatory trade treatment to the products of Afghanistan before the date that is 45 days after the date of enactment of this joint resolution, the President shall submit to the Congress on such date

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a report which states the reasons why the President has not denied such treatment.

(c) Notwithstanding any other provision of law, if the President takes any action under subsection (a), the President is authorized to—

(1) restore nondiscriminatory trade treatment to the products of Afghanistan, and

(2) extend credit, credit guarantees, and investment guarantees to, or for the benefit of, Afghanistan under any Federal program.

only if the President provides written notice of such restoration or extension to the Congress at least 30 days prior to the date on which such restoration or extension takes effect.

(d) For purposes of this joint resolution, the term "product of Afghanistan" means any article which is grown, produced, or manufactured (in whole or in part) in Afghanistan.

(57) *SEC. 141. Notwithstanding any other provision of this joint resolution, for necessary expenses to carry out title II of the Federal Water Pollution Control Act, other than sections 201(m)(1–3), 201(n)(2), 206, 208, and 209, $2,400,000,000, to remain available until expended: Provided, That, of the amounts appropriated under this section, only $600,000,000 shall be immediately available, with remaining amounts to become available only upon enactment of a subsequent appropriation act authorizing obligation of such funds:*

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Provided further, That availability of funds appropriated by this section shall not be limited to phases or segments of previously funded projects: Provided further, That allocation of the $600,000,000 initially made available by this section shall be in accordance with the formula in effect on October 1, 1984.

(58) *SEC. 142. Notwithstanding any other provision of this joint resolution, up to $8,000,000 of the funds appropriated for the Veterans' Administration under the heading "Medical care" in Public Law 99–160 may be transferred to and merged with the funds provided under the heading "General operating expenses".*

(59) *SEC. 143. In addition to any other amounts appropriated for the Veterans' Administration for fiscal year 1986 for the purpose of making payments to employers under the Emergency Veterans' Job Training Act of 1983, $55,000,000 for the Veterans' Administration for such purposes. Such amount shall be available only upon the enactment of legislation authorizing the appropriation of the sum contained in the preceding sentence and shall remain available until September 30, 1988.*

(60) ~~SEC. 107. None of the funds made available by this or any other Act for fiscal year 1986 to the Office of the Secretary, Department of the Interior, shall be expended to enter into any agreement with respect to Westlands Water~~

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~~District v. United States, et al. (CV-F-81-245-EDP) unless Congress enacts legislation authorizing the Secretary of the Interior to enter into such an agreement.~~

SEC. 114. None of the funds made available by this joint resolution or any other appropriations Act, which make appropriations for the Office of the Secretary, Department of the Interior, for fiscal year 1986, shall be expended to implement any settlement which may be approved or ordered by the United States District Court for Eastern California with respect to Westlands Water District v. the United States, et al. (CV-F-81-245-EDP) until 120 calendar days have elapsed from the date on which the Congress has received from the Secretary a copy of such court approved or ordered settlement.

(61) ~~SEC. 108. Notwithstanding any other provision of this joint resolution, $2,500,000 shall be available for the Smithsonian Institution, restoration and renovation of buildings, for the Freer Gallery of Art.~~

(62) ~~SEC. 109. Notwithstanding any other provision of this joint resolution, persons other than members of the United States Holocaust Memorial Council may be designated as members of committees associated with the United States Holocaust Memorial Council subject to appointment by the Chairman of the Council.~~

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SEC. 145. Notwithstanding any other provision of this joint resolution, persons other than members of the United States Holocaust Memorial Council may be designated as members of committees associated with the United States Holocaust Memorial Council subject to appointment by the Chairman of the Council: Provided, That any persons so designated shall serve without cost to the Federal Government.

(63) *SEC. 146. Notwithstanding any other provision in this joint resolution, there shall be appropriated $33,170,000 for land acquisition of the United States Fish and Wildlife Service, Land and Water Conservative Fund, within the Department of the Interior and $17,425,000 for land acquisition of the United States Forest Service, Land and Water Conservation Fund, within the Department of Agriculture.*

(64) *SEC. 147. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for, and the Secretary shall immediately resume preparation of, all environmental assessments and statements that are necessary prerequisites to the translocation of a portion of the existing population of Southern sea otters (Enhydra lutris nereis) to one or more locations within its historic range in accordance with the recovery plan for such species. In preparing such assessments and statements the Secretary shall consider section 10(j) of the Endangered Species Act*

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(16 U.S.C. 1539(j)) as well as pending legislation that would amend such Act.

(65) *SEC. 148. Notwithstanding any other provision of this resolution, the number "$15,033,000" on page 9, line 12 of H.R. 3011 as reported by the Senate Committee on Appropriations on September 24, 1985, shall be increased to "$16,733,000, of which $1,700,000, shall be available until expended to commence construction of fish hatchery facilities on the Nisqually River, Washington".*

(66) *SEC. 149. Using available funds, the Secretary of the Army, acting through the Chief of Engineers, shall take immediate steps to remove the wreck of the "A. Regina" from the vicinity of Mona Island, Puerto Rico, unless the Chief of Engineers determines, after consultation with independent marine salvage experts and such other experts as deemed necessary, that removal of the vessel is not feasible for technical reasons, or the Fish and Wildlife Service and the National Marine Fisheries Service, in consultation with the Commonwealth of Puerto Rico and the Chief of Engineers, determine that removal of the vessel would cause greater adverse effect on the hawksbill turtle, green turtle, leatherback turtle, and loggerhead turtle, or their nesting or feeding habitat, than would occur leaving the vessel in place.*

(67) *SEC. 150. Nothwithstanding any other provision of this joint resolution, the amount "303,522,000" on page 8,*

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line 22, of H.R. 3011 as reported by the Senate Committee on Appropriations on September 24, 1985, shall read as follows: "303,602,000".

(68) *SEC. 151. For purposes of this joint resolution the proviso beginning on line 7, including the colon, and continuing through the word "received" on line 13, on page 11 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall not be effective.*

(69) *SEC. 152. For purposes of this joint resolution, the matter on p. 13, line 15, beginning with "and of which" through "Burr Trail Road" on line 3 of p. 14 of H.R. 3011 as reported by the Senate Committee on Appropriations on September 24, 1985 shall be deemed to read as follows: "and of which not to exceed $8,700,000 shall be expended for engineering and construction of the Burr Trail National Rural Scenic Road in and adjacent to the Capitol Reef National Park and the Glen Canyon National Recreation Area and an interpretive center near the town of Boulder, Utah, such funds to be transferred to the State of Utah for accomplishment of these activities in accordance with the provisions of a cooperative agreement to be developed among the National Park Service, the Bureau of Land Management, Garfield County, and the State of Utah: Provided, That appropriations for maintenance and improvement of roads within Capitol Reef National Park and Glen Canyon National Recrea-*

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tion Area and construction and maintenance of an interpretive center shall hereafter be available for such purposes without regard to whether title to such road rights of way or lands for the interpretive center is in the United States: Provided further, That in the event the National Park Service fails to maintain the road as provided under the terms of said cooperative agreement, any rights of way which may be transferred to the National Park Service will revert to Garfield County: Provided further, That in the event of reversion of the road to Garfield County, the County shall provide payment to the United States an amount based upon the depreciated value of the capital investment resulting from Federal funds expended on the road for construction purposes".

(70) *SEC. 153. The educational center to be located at the Boott Hill Complex, Building No. 6, in the Lowell National Historical Park, Massachusetts, is hereby designated and shall be known as the "Paul E. Tsongas Industrial History Center".*

(71) *SEC. 154. For purposes of this joint resolution, the matter on page 17, line 6, before the period of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall be deemed to read as follows: "of feral burros and horses: Provided further, That the loan ceiling established under section 4(b) of Public Law 97–310, The Wolf Trap Farm Park Act, as amended, is increased to*

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$9,500,000. Notwithstanding the loan repayment provisions of Public Law 97–310, the dollar amount of items paid for by the Wolf Trap Foundation from funds provided by the additional loan authority in this section that is subsequently reimbursed to the Foundation by a court award or insurance settlement shall be repaid to the Secretary of the Interior by the Wolf Trap Foundation within 90 days of the date of the court award or insurance settlement": Provided further, That $150,000 shall be available to the National Park Service solely for the restoration and renovation of the Lonoke Depot in Lonoke, Arkansas.

(72) *SEC. 155. For purposes of this joint resolution, the following matter shall be deemed to be inserted before the period on line 23 of page 14 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall be deemed to read as follows: ": Provided further, That $2,000,000 shall be available to assist local communities to protect Mammoth Cave National Park from groundwater pollution: Provided further, That the National Park Service share of the Mammoth Cave protection project shall not exceed 25 per centum".*

(73) *SEC. 156, None of the funds provided in this joint resolution may be used to establish new grizzly bear populations in any unit of the National Park System or the National Forest System where no verified grizzly bear popu-*

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lation currently exists. None of the funds provided in this joint resolution may be used for augmentation in occupied areas of grizzly bear habitat unless an augmentation plan has been developed and made available for public review and comment in full compliance with the National Environmental Policy Act by all participating federal agencies: Provided, That it is not intended to prohibit the preparation of proposals to augment existing grizzly bear populations in occupied grizzly bear habitat: Provided further, That such augmentation may be conducted only with funds specifically identified for such purpose in an agency budget justification and subsequently approved in a report accompanying an appropriation bill making appropriations for that agency, or with funds provided for through reprogramming procedures: Provided further, That notwithstanding any other provision of law, agencies included in this joint resolution are authorized to reimburse permittees for such reasonable expenses as may be incurred as a result of moving permitted animals from one location to another, as may be required by the permitting agency, in order to prevent harassment and attacks by grizzly bears. Such expenses are to be determined by the agency responsible for the permitted action.

(74) *SEC. 157. Notwithstanding any other provision in this joint resolution, none of the funds provided by this joint resolution shall be expended by the Secretary of the*

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Interior to promulgate final regulations concerning paleontological research on Federal lands until the Secretary has received the National Academy of Science's report concerning the permitting and post-permitting regulations concerning paleontological research and until the Secretary has, within 30 days, submitted a report to the appropriate committees of the Congress comparing the National Academy of Sciences report with the proposed regulations of the Department of the Interior.

(75) *SEC. 158. Notwithstanding any other provision of this joint resolution, the amount "86,220,000" on page 13, line 13, of H.R. 3011 as reported by the Senate Committee on Appropriations on September 24, 1985, shall read as follows: "87,070,000, and of which not less than $850,000 shall be expended for the William Howard Taft Home".*

(76) *SEC. 159. For purposes of this joint resolution, the matter on line 3 on page 18 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall be deemed to read as follows: "shall be deposited in a special fund to be established on the books of the Treasury and be immediately available for payment of".*

(77) *SEC. 160. For purposes of this joint resolution, the provisos beginning on page 23, line 9, through line 1, on page 24 of H.R. 3011, as reported by the Senate Committee*

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on Appropriations on September 24, 1985, shall not be effective.

(78) *SEC. 161. For purposes of this joint resolution, the matter on page 26, line 11, starting with the word "shall" through "September 30, 1985" on line 17 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall be deemed to read as follows: "shall enter into contracts only for the provision of supplementary educational services for Indian children".*

(79) *SEC. 162. For purposes of this joint resolution, the matter on page 26, line 25, before the period of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall be deemed to read as follows: "not available for obligation until July 1, 1986: Provided further, That the Secretary of the Interior shall transfer without cost to the Saint Labre Indian School of Ashland, Montana, the interests of the United States in the supplies and equipment acquired by or for the school during the period when it was financially aided by the Bureau of Indian Affairs".*

(80) *SEC. 163. The Secretary of the Interior, acting through the Bureau of Indian Affairs and in consultation and cooperation with the Secretary of Health and Human Services and the Secretary of Education, shall develop and begin implementation of a program which provides instruc-*

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tion in health promotion and disease prevention to juvenile Indians enrolled in schools operated by, or on behalf of, the Bureau of Indian Affairs.

(81) *SEC. 164. Notwithstanding any other provisions of this joint resolution, strike the following beginning on line 11, page 32 through line 13, page 32 of H.R. 3011; ", at an interest rate of 4 per centum, to be repaid within a period of twelve years".*

(82) *SEC. 165. (a) There is hereby appropriated $6,000,000 which, notwithstanding any other law, is immediately available for obligation before January 18, 1986, by the Secretary of the Interior through the Bureau of Indian Affairs only for the emergency provision of hay to Indians using the distribution formula of the Indian Acute Distress Donation Program to aid in maintaining foundation cattle herds in Montana, North Dakota, and South Dakota. The Secretary may, but is not required to, enter into contracts under section 102 of the Indian Self Determination Act (88 Stat. 2206; 25 U.S.C. 450f) in connection with the appropriation made in this paragraph and no indirect cost or overhead shall be allowed under any such contract from any appropriation. All costs incurred directly or indirectly by the Secretary in connection with the appropriation made in this paragraph for other than the direct cost of the hay and its transportation shall be met from amounts appropriated for*

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the operation of Indian programs. Any part of the appropriation made in this paragraph which is not expended by March 15, 1986, shall be deobligated and shall not be available for obligation or expenditure and an amount equal to the amount deobligated shall be an obligation of the amount appropriated for the operation of Indian programs.

(b) The Secretary of the Interior shall make a report or reports to Congress by September 1, 1986 on (1) the use of the appropriation in the preceeding paragraph, (2) the impact of the drought disaster on the Indian Reservations in Montana, North Dakota, and South Dakota, (3) long-term strategies to address the disaster on each of those reservations, and (4) the effectiveness of the carrying out of the roles (including resource management and the establishment, waiver, and collection of grazing fees and rents or other payments) of the Federal and tribal governments in ranching, agriculture, and other land use on Indian reservations throughout the United States with recommendations to improve that effectiveness.

(83) *SEC. 166. For purposes of this joint resolution, the following matter is deemed to be inserted after line 13 on page 35 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985: "Notwithstanding any other provision of law, of the funds provided under this heading, not to exceed $300,000 shall be used to pay or repay the costs of development of alternative winter stock water sup-*

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plies by water users who have been deprived of winter stock water from the main channel of Willow Creek, Idaho, below Ririe Dam and Reservoir because of the operation of the dam and reservoir (hereinafter referred to as claimants).

"Any payment to a claimant made under this section shall constitute full settlement and satisfaction of all claims such claimant may have against the United States relating to the loss of winter stock water from Willow Creek, Idaho. The provisions of this section shall not apply to any claim settled prior to the date of enactment of this Act.

"The Secretary shall make a payment to a claimant only if—

"(1) the claimant notifies the Secretary of his claim within six months after the date of enactment of this Act;

"(2) the claimant provides an affidavit proving, to the satisfaction of the Secretary, his use of winter stock water from Willow Creek prior to December 31, 1979; and

"(3) the claimant executes a waiver and release, in a manner satisfactory to the Secretary, of any and all claims against the United States relating to the loss of winter stock water from Willow Creek, Idaho. Such waiver and release shall be recorded in the county where the claimant's land is located.

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"Any claimant who has developed an alternate winter stock water supply since December 31, 1979, shall be eligible for a payment of an amount equal to the actual construction costs incurred by such claimant in the development of such supply, as determined by the Secretary.

"Any claimant who has not developed an alternate winter stock water supply as of the date of enactment of this Act, shall be eligible for a payment of an amount equal to the funds necessary for the development of such supply, as determined by the Secretary. The Secretary's determination shall be based on the size and configuration of the claimant's land and on the size and type of the claimant's livestock operation.

"Costs and expenses incurred by a claimant in the operation and maintenance of his alternate winter stock water supply shall not be reimbursable.".

(84) *SEC. 167. For purposes of this joint resolution, the matter on page 39, line 9, of H.R. 3011 as reported by the Senate Committee on Appropriations on September 24, 1985 shall be deemed to read as follows: "actual earthquakes, floods, or volcanoes; for emergency reclamation".*

(85) *SEC. 168. For the purposes of this joint resolution, the matter reading "the General Fund of the Treasury of the United States" on page 47, beginning on line 9 and continuing through line 11, of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24,*

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1985, shall be deemed to read as follows: "and merged with the National Forest System appropriation account".

(86) *SEC. 169. For the purposes of this joint resolution, the proviso beginning on page 47, lines 4 through 6, beginning with the colon of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985, shall not be effective; and the matter on line 24, on page 52, before the period of H.R. 3011 as reported shall be deemed to read as follows: "sales from any national forest: Provided, That not less than $24,000,000 shall be made available to the Forest Service for obligation in fiscal year 1986 from the 'Timber Salvage Sale Fund' appropriation".*

(87) *SEC. 170. For purposes of this joint resolution, the following matter is deemed to be inserted on page 48, line 8, before the semi-colon of H.R. 3011 as reported by the Senate Committee on Appropriations on September 24, 1985: "; and of which $1,500,000 shall be available for emergency flood repairs in the Monongahela National Forest and at the Parsons, West Virginia Forest Research Laboratory".*

(88) *SEC. 171. Notwithstanding any other provision of this joint resolution, $186,433,000 is appropriated to the Forest Service for reforestation, timber stand improvement, cooperative law enforcement and maintenance of forest devel-*

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opment roads and trails, to remain available until September 30, 1987.

(89) *SEC. 172. Notwithstanding any other provision of this joint resolution, in the event the sale, award, or operation of any timber sale or sales in the Medford (Oregon) District of the Bureau of Land Management is enjoined, stayed or otherwise delayed by reason of administrative appeal or judicial review, the Secretary of the Interior shall resale timber returned under provisions of the Federal Timber Contract Payment Modification Act to the extent necessary to achieve sale of the full annual allowable cut for fiscal years 1985 and 1986 in the Medford District. The Secretary shall determine the potential environmental degradation of timber sales returned pursuant to the Federal Timber Contract Payment Modification Act and shall characterize each sale's potential environmental impact as minimal, moderate, or serious. The Secretary must give resale priority to those sales with the least risk of potential environmental degradation. Sales that are reoffered may be modified, including minor additions. Any decision of the Secretary to resell such timber shall not be subject to judicial review.*

(90) *SEC. 173. Notwithstanding any other provision of this joint resolution or any other provision of law, $11,023,000 of the contract authority available in the Feder-*

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al Highway Trust Fund and not otherwise appropriated shall be available to the Forest Service for road construction and related facilities to serve the Mount Saint Helens National Volcanic Monument, Washington: Provided, That the foregoing shall not alter the amount of funds or contract authority that would otherwise be available for road construction to serve any State other than the State of Washington.

(91) *SEC. 174. Notwithstanding any other provision of law, any lease for those Federal lands within the Gallatin and Flathead National Forests which were affected by case CV-82-42-BU of the United States District Court for the District of Montana, Butte Division, for which the Secretary has directed or assented to the suspension of operations and production pursuant to section 39 of the Act of February 25, 1920 (30 U.S.C. 184) shall be excepted from the limits on aggregate acreage set out in that Act: Provided, That any person, association or corporation receiving relief under this section shall bring its aggregate acreage into compliance with the provisions of the Act of February 25, 1920 (30 U.S.C. 184), within six months from the date the suspension of operation and production ends.*

(92) *SEC. 175. For purposes of this joint resolution, the following matter is deemed to be inserted between lines 17 and 18 on page 55 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985:*

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"DEPARTMENT OF THE TREASURY

"ENERGY SECURITY ACT

"(RESCISSION)

"Of the funds appropriated to the Energy Security Reserve by the Department of the Interior and Related Agencies Appropriations Act, 1980 (Public Law 96–126) and subsequently made available to carry out part B of title I of the Energy Security Act (Public Law 96–294) by Public Laws 96–304, 96–514, and 98–473, $3,000,000,000 of the amounts initially available only for obligation to synthetic fuels project proposals with letters of intent authorized by the Board of Directors of the United States Synthetic Fuels Corporation on or before June 1, 1984, and not obligated are rescinded: Provided, That the Board of Directors shall proceed to complete action on those project proposals under consideration or negotiation by such Corporation as of October 1, 1985: Provided further, That such actions shall include either the award by the Board of financial assistance to such a project or a determination by the Board that the Corporation will not enter into financial assistance contracts for such project proposals: Provided further, That notwithstanding section 191 of the Energy Security Act (Public Law 96–294), (a) the Board may not make any new awards or commitments for financial assistance pursuant to section 131 of the Energy Security Act for synthetic fuel project proposals

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after September 30, 1986; and (b) the Corporation, in accordance with subtitle J of said Act, shall terminate on September 30, 1992, except that the President, on recommendation of the Board of Directors, may by Executive order terminate the Corporation at an earlier date, but in no event prior to September 30, 1989: Provided further, That the Corporation shall, by September 30, 1986, transmit to the Committee on Energy and Natural Resources of the Senate and appropriate committees of the House of Representatives a report containing a review of implementation of its phase I business plan dated February 19, 1985: Provided further, That the Corporation shall, by July 1, 1989, transmit to the Committee on Energy and Natural Resources of the Senate and appropriate committees of the House of Representatives a report fulfilling the requirements of section 126(b)(3) of the Energy Security Act (42 U.S.C. 8722(c)(3)).".

(93) *SEC. 176. Of the funds available from the Energy Security Reserve to the Secretary of Energy for alcohol fuel loan guarantees under Public Law 96–304, as amended by Public Laws 96–514, 97–12 and 97–394, the Secretary shall provide a loan for odor abatement at an ethanol producing facility that has received financial assistance under title II of Public Law 96–294 and that was in operation on November 1, 1985: Provided, That—*

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(1) such loan shall not exceed 90 percent of the net cost of the odor abatement project and in no case shall the amount of such loan exceed $3,000,000,

(2) the Secretary shall not provide such loan until the Secretary has received satisfactory assurances that a non Federal share in the amount of 10 percent of the net cost of the odor abatement project is available,

(3) payment of principal under the loan shall not be due until the repayment in full of permanent financing guaranteed by the Department of Energy for the construction of such ethanol producing facility,

(4) interest shall accrue immediately upon receipt of the loan and payment of interest shall be made at regular intervals established by the Secretary and at such rate as determined by the Secretary but not to exceed the current average rate of outstanding marketable obligations of the United States with comparable maturities,

(5) the Secretary shall not make such loan until the Secretary has received satisfactory assurances that any expenses of operating equipment installed using funds made available under this loan shall be paid by the New Energy Corporation of Indiana,

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(6) principal and interest payments made under this loan shall be repaid into the Alcohol Fuels Loan Guarantee Reserve, and

(7) the Secretary shall establish such other terms and conditions as the Secretary considers appropriate.

(94) *SEC. 177. For purposes of this joint resolution, the following matter is deemed to be inserted after line 23 on page 61 of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985:*

"SPR PETROLEUM ACCOUNT

"(INCLUDING RESCISSION OF FUNDS)

"Of the aggregate amount of funds appropriated under this heading in Public Law 98–473, that are currently available to the Secretary of Energy for obligation and that may be obligated under section 167 of the Energy Policy and Conservation Act (Public Law 94–163), as amended, $160,000,000 is rescinded: Provided, That the Secretary of Agriculture, at the request of the Secretary of Energy, may exchange agricultural products owned by the Commodity Credit Corporation for petroleum products (including crude oil) to be delivered to the strategic petroleum reserve: Provided further, That the Secretary of Energy shall approve the quantity, quality, delivery method, scheduling, market value and other aspects of the exchange of such agricultural products: Provided further, That if the volume of agricultural products to be exchanged has a value in excess of the market

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value of the petroleum products (including crude oil) acquired by such exchange, then the Secretary of Agriculture shall require as a part of the terms and conditions of the exchange that the party or entity providing such petroleum products shall agree to purchase, within six months following the exchange, current crop commodities or value-added food products from the U.S. producers or processors in an amount equal to at least one-half of the difference between the value of the commodities received in the exchange and the market value of the petroleum products acquired for the strategic petroleum reserve in such transactions: Provided further, That petroleum acquired pursuant to this section shall count on a barrel-per-barrel basis toward the requirements of subsection 160(d)(1) of the Energy Policy and Conservation Act (Public Law 94–163), as amended.".

(95) *SEC. 178. Notwithstanding any other provision of law, to satisfy an outstanding judgment against the Seattle Indian Health Board resulting from termination of its occupancy of the Kobe Park building in Seattle, Washington, $180,000 shall be provided from the unobligated balance available to the Indian Health Service from prior years' appropriation. Such payment shall be made only if the owners of the Kobe Park Building Company accept the sum named as full satisfaction for current or future claims against the*

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Seattle Indian Health Board and the individual members of the Board.

(96) *SEC. 179. For purposes of this joint resolution, the following matter is deemed to be inserted after "Act" on page 69, line 17, of H.R. 3011, as reported by the Senate Committee on Appropriations on September 24, 1985: "and such funds as may be necessary to support American overseas research centers".*

(97) *SEC. 180. The provisions of section 2(a)(2)(A) of the Mineral Lands Leasing Act of 1920 (41 Stat. 437), as amended by section 3 of the Federal Coal Leasing Amendments Act of 1976 (90 Stat. 1083) shall not take effect until December 31, 1986.*

(98) *SEC. 181. Section 221 of the Biomass Energy and Alcohol Fuels Act of 1980 (Public Law 96-294; 42 U.S.C. 8821) is amended by—*

(1) striking out "September 30, 1984" and inserting in lieu thereof "June 30, 1986"; and

(2) adding at the end thereof the following: "The Secretary of Energy may modify the terms and conditions of any conditional commitment for a loan guarantee under this subtitle made before October 1, 1984, including the amount of the loan guarantee. Enactment of this section shall not be interpreted as indicating

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Congressional approval with respect to any pending conditional commitments under this act.".

(99) *SEC. 182. (a) None of the funds available to the Bureau of Indian Affairs for the construciton of housing on lands acquired pursuant to section 11(d) of Public Law 93–531, as amended, shall be expended until a report is submitted to the House and Senate Committees on Appropriations detailing the proposed uses of such funds on the lands acquired pursuant to section 11(d) of Public Law 93–531.*

(b) In addition to plans for housing, the report shall include a description of other services intended to be provided including, but not limited, to water, sewers, roads, schools, and health facilities. If such services are not to be provided the report shall describe alternative services available. The report shall further identify the proposed sites to which households will be relocated, including the distance from the Joint Use Area to such sites. This report shall be submitted no later than January 15, 1986, by the Navajo and Hopi Indian Relocation Commission with the concurrence of the Secretary of the Interior.

(100) *SEC. 183. Notwithstanding any other provision of this joint resolution or of law, the limitation placed on the Secretary of the Interior by the last sentence of section 319 of "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending Sep-*

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tember 30, 1985, and for other purposes", as enacted into law by Public Law 98–473 (98 Stat. 1837), shall remain in effect until Congress determines otherwise.

(101) *SEC. 184. Notwithstanding any other provision of this joint resolution, there are appropriated, in addition to such amounts otherwise appropriated therefor, $500,000 to carry out section 787 (Educational Assistance to Individuals from Disadvantaged Backgrounds) of the Public Health Service Act.*

(102) *SEC. 185. No penalty shall be applied nor any State or agency agreement terminated pursuant to sections 1512, 1515, or 1521 of the Public Health Service Act during fiscal year 1986, nor if appropriations under title XV of that Act are reauthorized by July 1, 1986, shall any agency be required to take action to anticipate termination of financial assistance under that title. Sums appropriated by the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1986, for the award of grants under section 1516 of the Public Health Service Act may be used for grants under that section to State agencies that were authorized to receive grants for fiscal year 1982 under section 935(b) of the Omnibus Budget Reconciliation Act of 1981: Provided, That no sums may be obligated under the authority of this sentence after the*

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date upon which a law is enacted to extend the authority to apropriate amounts to carry out title XV of such Act.

(103) *SEC. 186. The total principal amount of Federal loan insurance available under section 728 of the Public Health Service Act during fiscal year 1986 shall be granted by the Secretary of Health and Human Services without regard to any apportionment or other similar limitation, unless such apportionment or limitation is explicitly established, after the enactment of this joint resolution, as an amendment to subpart I of title VII–C of that Act.*

(104) *SEC. 187. Notwithstanding any other provision of this joint resolution, the Secretary of Health and Human Services shall extend, for three additional years, approval of the municipal health services demonstration projects located in Baltimore, Cincinnati, Milwaukee, and San Jose authorized under section 402(a) of the Social Security Amendments of 1967.*

(105) *SEC. 146. (a)(1) Notwithstanding any provision of title XX of the Social Security Act, the amount applicable under section 2003(c)(3) of such Act shall be $2,725,000,000 for fiscal year 1986. In addition to any amounts appropriated in this resolution or any other Act, there are hereby appropriated an additional $25,000,000 for carrying out title XX of the Social Security Act, to be used in accordance with the provisions of this section.*

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(b) Except as otherwise provided in this section, each State's allotment of the additional amount appropriated under this section shall be the same proportion of $25,000,000 as such State's proportional allotment of other title XX funds for fiscal year 1986, as determined under section 2003 of the Social Security Act.

(c) The additional amount appropriated under this section shall be used in the same manner as the funds appropriated under section 401 of Public Law 98–473 were required to be used as specified in subsection (b) of such section 401.

(d) None of the funds appropriated under this section shall be used to make an allotment to any State which has not submitted to the Secretary of Health and Human Services a certification by the State that such State has completed or instituted a process, or plans to institute and complete within 6 months a process, to review its child care licensing or registration standards and monitoring standards, taking into consideration the information and material contained in the Department of Health and Human Services' Model Child Care Standards Act (drafted and distributed to the States by the Department of Health and Human Services pursuant to Public Law 98–473); in order to identify and correct deficiencies in such standards with respect to protecting the welfare of children in child care settings.

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(106) *SEC. 189. In view of the $92 Medicare hopsital deductible increase that will go into effect on January 1, 1986, it is the sense of the Senate that the Committee on Finance shall report legislation no later than April 15, 1986, which will reform the calculation of the annual increase of such deductible so that it is more consistent with annual increases in Medicare payments to hospitals. It is further the sense of the Senate that any reforms reported shall be retroactive to January 1, 1986.*

(107) *SEC. 147. Upon the enactment of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1986, the amount provided therein for the Secretary of Education's discretionary fund for programs of national significance (from sums appropriated for carrying out title II of the Education for Economic Security Act) shall immediately become available for obligation.*

(108) *SEC. 191. Notwithstanding any other provision of this joint resolution or any other provision of law, any student residing in an area designated as a natural disaster area pursuant to a provision of Federal law may, if otherwise eligible for a Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965, qualify for a Pell Grant under such subpart without regard to the limitation on*

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the loss of income in the calendar year in the determination of expected family contribution under such subpart.

(109) SEC. ~~110~~ *192.* (a) In the administration of subchapter III of chapter 83 of title 5, United States Code, title II of the Social Security Act, chapter 21 of the Internal Revenue Code of 1954, and title II of Public Law 98–168, the individual holding the position of Chief of the United States Capitol Police on January 1, 1985—

(1) shall be held and considered to have been appointed to that position before January 1, 1984,

(2) during the 60-day period following the date of the enactment into law of this section, shall be eligible to elect coverage under the provisions of such subchapter III, and

(3) upon such election, shall not be covered by section 210(a)(5)(G) of the Social Security Act, and section 3121(b)(5)(G) of the Internal Revenue Code of 1954, with respect to periods of service performed by such individual in such position after the election.

(b) Any period of service performed by such individual as Chief of the United States Capitol Police prior to making any such election shall, after such election and payment by or on behalf of such individual of appropriate contributions and interest covering such period of service, be considered as creditable service for purposes of such subchapter III and

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shall not be considered as covered service for purposes of title II of Public Law 98–168.

(c) Service performed by such individual as Chief of the United States Capitol Police after December 31, 1983, and prior to the election referred to in subsection (a), shall also be considered "employment" for purposes of the provisions of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1954, if such service would have been "employment" under such provisions but for this section.

(110) *SEC. 193. Notwithstanding any other provision of law, the cost involved in providing basic training for members of the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 1986 shall be paid by the Secretary of the Treasury from funds available to the Treasury Department.*

(111) *SEC. 194. Notwithstanding any other provision of this joint resolution, there is appropriated $1,000,000 for fiscal year 1986 for the establishment and operation of the Biomedical Ethics Board and the Biomedical Ethics Advisory Committee pursuant to section 381 of the Public Health Service Act.*

(112) *SEC. 195. Section 203(g) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166), is amended, effective hereafter, to read as follows:*

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"(g) The Director of the Congressional Research Service will submit to the Librarian of Congress for review, consideration, evaluation, and approval, the budget estimates of the Congressional Research Service for inclusion in the Budget of the United States Government.".

(113) *SEC. 196. The Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3001 et seq.) is amended by adding at the end thereof the following new section:*

"SEC. 9. For purposes of costs relating to printing and binding, including the costs of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.".

(114) *SEC. 197. (a) The first sentence of section 225(b)(3) of the Federal Salary Act of 1967 (2 U.S.C. 352(3)) is amended by inserting "and with respect to fiscal year 1987" before the period at the end thereof.*

(b) Section 225(f) of such Act (2 U.S.C. 356) is amended by adding at the end thereof the following flush sentence: "In reviewing the rates of pay of the offices or positions referred to in subparagraph (D) of this subsection, the Commission shall determine and consider the appropriateness of the executive levels of such offices and positions.".

(c) The second sentence of section 225(g) of such Act (2 U.S.C. 357) is amended by striking out "January 1 next

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following the close" and inserting in lieu thereof "December 15".

(d) Section 225(h) of such Act (2 U.S.C. 358) is amended—

(1) by inserting "under section 1105(a) of title 31, United States Code," in the first sentence after "transmitted"; and

(2) by striking out the second sentence.

(e) Section 225(i) of such Act (2 U.S.C. 359) is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following:

"(i) EFFECTIVE DATE OF RECOMMENDATIONS OF THE PRESIDENT.—

"(1) The recommendations of the President which are transmitted to the Congress pursuant to subsection (h) of this section shall be effective as provided in paragraph (2) of this subsection unless any such recommendation is disapproved by a joint resolution agreed to by the Congress not later than the last day of the 30-day period which begins on the date of which such recommendations are transmitted to the Congress.

"(2) The effective date of the rate or rates of pay which take effect for an office or position under paragraph (1) of this subsection shall be the first day of the first pay period which begins for such office or position after the end of the 30-day period described in such paragraph.".

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(f) Section 225(j) of such Act (2 U.S.C. 360) is amended—

(1) by striking out "transmitted to the Congress immediately following a review conducted by the Commission in one of the fiscal years referred to in subsection (b)(2) or (3) of this section shall, if approved by the Congress as provided in subparagraph (i)," and inserting in lieu thereof "taking effect as provided in subsection (i) of this section shall"; and

(2) in clause (A), by striking out "in paragraph (1) of".

(g) Notwithstanding section 225(g) of such Act (2 U.S.C. 357), the Commission on Executive, Legislative, and Judicial Salaries shall not make recommendations on the rates of pay of offices and positions within the purview of subparagraphs (A), (B), (C), and (D) of section 225(f) of such Act (2 U.S.C. 356) in connection with the review of rates of pay of such offices and positions conducted by the Commission in fiscal year 1985.

(115) *SEC. 198. Notwithstanding any other provision of this joint resolution or any other Act, the Department of the Navy is authorized, within existing appropriations, to expend such sums as are necessary to effectuate a settlement with the State of Washington of back tax liabilities arising out of Federal construction projects in Washington State.*

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Such settlement may be negotiated directly between the Department of the Navy and the State of Washington, notwithstanding the fact that the liability of the Department of the Navy may be derivative from persons contracting with the Department.

(116) *SEC. 199. Notwithstanding any other provision of this joint resolution or any other Act, for construction of the Brigade Activity Center at the United States Naval Academy, Annapolis, Maryland, the sum of $16,600,000 is appropriated, as authorized by law, to remain available until September 30, 1990.*

(117) *SEC. 200. (a) No Member, officer, or employee of the Senate or House of Representatives compensated at a rate in excess of $25,000 per annum and employed for more than ninety days in a calendar year shall (1) affiliate with a firm, partnership, association, or corporation for the purpose of providing professional services for compensation; (2) permit that individual's name to be used by such a firm, partnership, association or corporation; or (3) practice a profession for compensation to any extent during regular office hours of the Senate office or House of Representatives office, as the case may be, in which employed. For the purposes of this paragraph, "professional services" shall include but not be limited to those which involve a fiduciary relationship.*

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(b) No Member, officer, or employee of the Senate or House of Representatives compensated at a rate in excess of $25,000 per annum and employed for more than ninety days in a calendar year shall serve as an officer or member of the board of any publicly held or publicly regulated corporation, financial institution, or business entity. The preceding sentence shall not apply to service of a Member, officer, or employee as—

(1) an officer or member of the board of an organization which is exempt from taxation under section 501(c) of the Internal Revenue Code of 1954, if such service is peformed without compensation;

(2) an officer or member of the board of an institution or organization which is principally available to Members, officers, or employees of the Senate or House of Representatives or their families, if such service is performed without compensation; or

(3) a member of the board of a corporation, institution, or other business entity, if (A) the Member, officer, or employee had served continuously as a member of the board thereof for at least two years prior to his election or appointment as a Member, officer, or employee of the Senate or House of Representatives. (B) the amount of time required to perform such service is minimal, and (C) the Member, officer, or em-

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ployee is not a member of, or a member of the staff of any Senate or House committee which has legislative jurisdiction over any agency of the Government charged with regulating the activities of the corporation, institution, or other business entity.

(118) ~~SEC. 111. Notwithstanding any other provision of law or regulation, the Secretary of Transportation shall, within 30 days after enactment of this section, issue in the Federal Register a Notice of Intent to prepare an environmental impact statement for the construction of the north and south legs of the downtown component of metrorail in Dade County, Florida.~~

(119) ~~SEC. 112. For necessary expenses to carry out a highway construction project along State Route 113 in north-central California that demonstrates methods of reducing motor vehicle congestion and increasing employment, $23,500,000, to remain available until expended: *Provided,* That such funds shall be exempt from any limitation on obligations for federal-aid highways and highway safety construction programs.~~

(120) ~~SEC. 113. Notwithstanding any other provision of law, none of the funds in this act shall be available for the construction of the Central Automated Transit System (Downtown People Mover) in Detroit, Michigan: *Provided,* That the immediately preceding provision shall not apply to~~

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~~$10,000,000 apportioned to the Detroit Department of Transportation.~~

(121) *SEC. 201. Notwithstanding any other provision of law, the first sentence of section 125(b) of title 23, United States Code, is amended by inserting after "$30,000,000" the following: "($55,000,000 for projects in connection with disasters or failures occurring in calendar year 1985)".*

(122) *SEC. 202. (a) EXTENSION OF PENALTY FOR NON-COMPLIANCE.—Section 158(a)(2) of title 23, United States Code, is amended by striking out "the fiscal year succeeding" and inserting in lieu thereof "each fiscal year after".*

(b) COMPLYING STATE LAWS.—Subsection (a) of section 158 of such title is amended by adding at the end thereof the following new paragraph:

"(3) STATE GRANDFATHER LAW AS COMPLYING.—If, before the later of (A) October 1, 1986, or (B) the tenth day following the last day of the first session the legislature of a State convenes after the date of the enactment of this paragraph, such State has in effect a law which makes unlawful the purchase and public possession in such State of any alcoholic beverage by a person who is less than 21 years of age (other than any person who is 18 years of age or older on the day preceding the effective date of such law and at

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such time could lawfully purchase or publicly possess any alcoholic beverage in such State), such State shall be deemed to be in compliance with paragraphs (1) and (2) of this subsection in each fiscal year in which such law is in effect.".

(c) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE.—Subsection (b) of section 158 of such title is amended to read as follows:

"(b) Period of Availability; Effect of Compliance and Noncompliance.—

"(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

"(A) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 1988.—Any funds withheld under this section from apportionment to any State on or before September 30, 1988, shall remain available for apportionment to such State as follows:

"(i) If such funds would have been apportioned under section 104(b)(5)(A) of this title but for this section, such funds shall remain available until the end of the fiscal year for which such funds are authorized to be appropriated.

"(ii) If such funds would have been apportioned under section 104(b)(5)(B) of this

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title but for this section, such funds shall remain available until the end of the second fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(iii) If such funds would have been apportioned under section 104(b)(1), 104(b)(2), or 104(b)(6) of this title but for this section, such funds shall remain available until the end of the third fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(B) FUNDS WITHHELD AFTER SEPTEMBER 30, 1988.—No funds withheld under this section from apportionment to any State after September 30, 1988, shall be available for apportionment to such State.

"(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period for which funds withheld under this section from apportionment are to remain available for apportionment to a State under paragraph (1)(A), the State makes effective a law which is in compliance with subsection (a), the Secretary shall on the day following the effective date of such law apportion to such State the

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withheld funds remaining available for apportionment to such State.

"(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—Any funds apportioned pursuant to paragraph (2) shall remain available for expenditure as follows:

"(A) Funds apportioned under section 104(b)(5)(A) of this title shall remain available until the end of the fiscal year succeeding the fiscal year in which such funds are so apportioned.

"(B) Funds apportioned under section 104(b)(1), 104(b)(2), 104(b)(5)(B), or 104(b)(6) of this title shall remain available until the end of the third fiscal year succeeding the fiscal year in which such funds are so apportioned.

Sums not obligated at the end of such period shall lapse or, in the case of funds apportioned under section 104(b)(5) of this title, shall lapse and be made available by the Secretary for projects in accordance with section 118(b) of this title.

"(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under this section from apportionment are available for apportionment to a State under paragraph (1), the State has not

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made effective a law which is in compliance with subsection (a), such funds shall lapse or, in the case of funds withheld from apportionment under section 104(b)(5) of this title, such funds shall lapse and be made available by the Secretary for projects in accordance with section 118(b) of this title.".

(d) CONFORMING AMENDMENTS.—Such section 158 is further amended—

(1) in subsection (a) by inserting "WITHHOLDING OF FUNDS FOR NONCOMPLIANCE.—" before "(1) The";

(2) in subsection (a)(1) by inserting "FIRST YEAR.—" before "The Secretary";

(3) by indenting paragraphs (1) and (2) of subsection (a) and aligning them with paragraph (3) of such subsection as inserted by subsection (b) of this section;

(4) in subsection (a)(1) by inserting "first" before "fiscal year" the second place it appears;

(5) in subsection (a)(2) by inserting "AFTER THE FIRST YEAR.—" before "The Secretary"; and

(6) in subsection (c) by inserting "ALCOHOLIC BEVERAGE DEFINED.—" before "As".

(123) SEC. ~~114~~ *203.* The Secretary of the Army, at his discretion, may utilize Reserve Forces to carry out emer-

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gency flood recovery and clean up measures in the 29-county area of West Virginia, the 6-county area of Pennsylvania, the 18-county area of Virginia, and Gulf Coast areas, declared entitled to relief under the Disaster Relief Act of 1974 with respect to the flooding occurring on and after August 30, 1985, without reimbursement for such limited assistance.

(124) SEC. ~~115~~ *204.* (a) Notwithstanding section 101(i) and section 102(c) of this joint resolution, and notwithstanding any provision of H.R. 3036, if any individual or entity which provides or proposes to provide child care services for Federal employees applies to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which such individual or entity provides or proposes to provide such services, such officer or agency may allot space in such a building to such individual or entity if—

(1) such space is available;

(2) such officer or agency determines that such space will be used to provide child care services to a group of individuals of whom at least 50 percent are Federal employees; and

(3) such officer or agency determines that such individual or entity will give priority for available child care services in such space to Federal employees.

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(b)(1) If an officer or agency allots space to an individual or entity under subsection (a), such space may be provided to such individual or entity without charge for rent or services.

(2) If there is an agreement for the payment of costs associated with the provision of space allotted under subsection (a) or services provided in connection with such space, nothing in title 31, United States Code, or any other provision of law, shall be construed to prohibit or restrict payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(3) For the purpose of this section, the term "services" includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone service), and security systems (including installation and other expenses associated with security systems).

(125) SEC. ~~116~~ *205.* Section 5 of the Federal Employees Flexible and Compressed Work Schedules Act of 1982 (96 Stat. 234; 5 U.S.C. 6101 note) is repealed.

(126) *SEC. 206. Section 301(d) of title 31, United States Code, is amended in the first sentence by striking out the phrase "an Under Secretary, an Under Secretary for Monetary Affairs" and inserting in lieu thereof the phrase "2 Under Secretaries"; and by striking out the fourth sentence*

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and inserting in lieu thereof the following new sentence: "The President may designate one Under Secretary as Counselor.".

(127) *SEC. 207. Subsection (c) of section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b(c)) is amended by striking out "4" and inserting in lieu thereof "20".*

(128) *SEC. 208. Section 4 of the Presidential Protection Assistance Act of 1976, Public Law 94–524, is amended by striking out "$10,000" and inserting in lieu thereof "$75,000".*

(129) *SEC. 209. Section 202(a) of title 39, United States Code, is amended by striking out "30 days" each time it appears and by inserting in lieu thereof "42 days".*

(130) *SEC. 210. None of the funds appropriated by this joint resolution or any other Act shall be available to the Office of Management and Budget for revising, curtailing or otherwise amending the administrative and/or regulatory methodology employed by the Bureau of Alcohol, Tobacco and Firearms to assure compliance with section 205, title 27 of the United States Code (Federal Alcohol Administration Act) or with regulations, rulings or forms promulgated thereunder.*

(131) *SEC. 211. Notwithstanding any other provision of law, the Administrator of the General Services Administration and the Secretary of Commerce are hereby author-*

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ized, for the purposes of supporting the United States' international trade position, to locate the International Trade Administration Boston District Office in the new World Trade Center, Boston, Massachusetts. A report shall be made to the Committees on Appropriations no later than February 1, 1986 detailing the steps taken and agreements reached to achieve this move.

(132) *SEC. 212. (a) Sections 201(1), 202(6), 203(a)(4)(A), 203(a)(4)(B), 204(a), and 206(b)(2)(A)(i) of the Federal Employees' Retirement Contribution Temporary Adjustment Act of 1983 (97 Stat. 1106; 5 U.S.C. 8331 note) are amended by striking out "January 1, 1986" each place it appears and inserting in lieu thereof "May 1, 1986".*

(b) Section 206(c)(3) of such Act is amended by striking out "January 1, 1986" and inserting in lieu thereof "April 30, 1986".

(c) Section 205 of such Act is amended by striking out "and 1986" in subsections (b) and (c) and inserting in lieu thereof "1986, and 1987".

(133) *SEC. 213. (a) This section may be cited as the "Ethics in Government Act Amendments of 1985".*

(b) Section 207 of the ethics in Government Act of 1978 is amended—

(1) by striking out the heading for such section and inserting in lieu thereof the following:

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"CONFIDENTIAL REPORTS AND OTHER ADDITIONAL REQUIREMENTS";

(2) by striking out the first sentence in subsection (a) and inserting in lieu thereof the following: "(1) The President may require officers and employees in the executive branch (including the United States Postal Service, the Postal Rate Commission, members of the uniformed services, and special Government employees as defined in section 202 of title 18, United States Code) to file a confidential financial disclosure report, in such form as the President may prescribe. The information required to be reported under this subsection by the officers and employees of any department or agency shall be set forth in regulations prescribed by the President, and may be less extensive than otherwise required by this title, or more extensive when determined by the President to be necessary and appropriate in light of sections 202 through 209 of title 18, United States Code, regulations promulgated thereunder, or the authorized activities of any such department or agency. Any individual required to file a report pursuant to section 201 shall not be required to file a confidential report pursuant to this subsection, except with respect to information which is more exten-

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sive than information otherwise required by this title.";
and

(3) by adding at the end of subsection (a) the following new paragraph:

"(2) Any information required to be provided by an individual under this subsection shall be confidential and shall not be disclosed to the public.".

(c) The amendments made by this section shall be effective 90 days after the date of enactment of this section.

(134) *SEC. 214. In the case of any distilled spirits plant which, for each calendar quarter during 1984 and 1985, was required to obtain, and obtained, a bond under section 5181 of the Internal Revenue Code of 1954, section 5181(c) of such Code shall, for each calendar quarter during 1986, be applied by substituting "5,000,000 proof gallons" for "10,000 proof gallons".*

(135) SEC. ~~117~~*215.* The Secretary of the Interior is hereby directed to make every effort during the balance of fiscal year 1986 to resolve the outstanding conflicts with respect to the future leasing and protection of lands on the California outer continental shelf for oil and gas exploration and development. To this end, the Secretary shall submit to the Congress once every 60 days following the date of enactment of this resolution until the end of fiscal year 1986 a report summarizing the progress of negotiations carried out

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to resolve these outstanding conflicts. Such negotiations shall be conducted by the Secretary and the following members of Congress to be designated by the Speaker of the House of Representatives and the Majority Leader of the Senate:

(1) The Chairmen and ranking minority members of the following committees and subcommittees of the Congress having jurisdiction over these issues:

(A) The Subcommittee on the Interior of the Committee on Appropriations of the House of Representatives.

(B) The Subcommittee on Energy and the Environment of the Committee on Interior and Insular Affairs of the House of Representatives.

(C) The Subcommittee on the Panama Canal and Outer Continental Shelf of the Committee on Merchant Marine and Fisheries of the House of Representatives.

(D) The Subcommittee on the Interior of the Committee on Appropriations of the Senate.

(E) The Committee on Energy and Natural Resources of the Senate.

(2) Two United States Senators from California.

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(3) Seven members of the California delegation to the House of Representatives.

Passed the House of Representatives December 4, 1985.

Attest: BENJAMIN J. GUTHRIE,
Clerk.

Passed the Senate with amendments December 10 (legislative day, December 9), 1985.

Attest: JO-ANNE L. COE,
Secretary.

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